

REMARKS

This Amendment is fully responsive to the non-final Office Action dated June 16, 2008, issued in connection with the above-identified application. Claims 1-38 were previously pending in the present application. With this Amendment, claims 1, 17-19, 35 and 36 have been amended; claims 16, 34 and 38 have been canceled without prejudice or disclaimer to the subject matter therein; and claim 39 has been added. Accordingly, claims 1-15, 17-33, 35-37 and 39 are all the claims pending in the present application. No new matter has been introduced by the amendments made to the claims or by the new claim added. Favorable reconsideration is respectfully requested.

To facilitate the Examiner's reconsideration to the present application, the Applicants have provided amendments to the specification and abstract. The changes to the specification and abstract include minor editorial and clarifying changes and address the Examiner's objection to the specification. Replacement paragraphs and a replacement abstract showing the changes made to the original specification and abstract are enclosed. No new matter has been introduced by the amendments made to the specification and abstract. Withdrawal of the objection to the specification is respectfully requested.

The Applicants acknowledge the renumbering of claim 39 to claim 38. Additionally, the Applicants have canceled renumbered claim 38 (previously claim 39) and replaced it with a new renumbered claim 39.

In the Office Action, the Examiner has objected to the drawings for failure to include a prior art legend. Specifically, the Examiner has indicated that Figs. 19-23 fail to include a prior art legend. The Applicants respectfully point out that a "Submission of Replacement Drawings" was filed on May 26, 2006, which included the changes now suggested by the Examiner (see PAIR, May 26, 2006, DWR, 5 pgs.). Specifically, the "Submission of Replacement Drawings" filed on May 26, 2006 included replacement sheets for Figs. 19-23 that added prior art legends to the figures. Accordingly, withdrawal of the objection to the drawings is respectfully requested.

In the Office Action, claim 38 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Specifically, the Examiner notes that claim 38 is directed to a computer

recording medium that executes the method according to claim 19, and claim 19 is an apparatus claim. Accordingly, the Applicants have canceled claim 38 rendering the above rejection to that claim moot. Withdrawal of the rejection to claim 38 under 35 U.S.C. 112, second paragraph, is respectfully requested.

In the Office Action, claims 1, 2, 7, 19, 20, 25, 37 and 38 have been rejected under 35 U.S.C. 102(e) as being anticipated by Ellis (U.S. Patent No. 7,185,355, hereafter, "Ellis").

As noted above, the Applicants have canceled claim 38 rendering the above rejection to that claim moot. Additionally, the Applicants have amended independent claims 1 and 19 to help further distinguish the present invention from the cited prior art. For example, claim 1 (as amended) recites the following features:

"[a] recommended program notification method of notifying a user of a recommended program, comprising the steps of:

inputting a user's instruction including a recommendation control instruction;
detecting notification timing with which a notification of a recommended program is performed, when the recommendation control instruction is not input; and
displaying a notification screen indicating the existence of a recommended program when the notification timing is detected
obtaining a recommendation reason for a program; and
including the obtained recommendation reason in the notification screen,
wherein the obtained recommendation reason is in a form which is recognized by a user."
(Emphasis added).

The features noted above in claim 1 are similarly recited in independent claim 19 (as well as in new claim 39). Additionally, the features noted above are fully supported by the Applicants' disclosure (see e.g., ¶46, ¶52, Figs. 2A-2C and Figs. 17A-17C).

The present invention, as recited in independent claims 1, 19 and 39, is directed to a program notification method, device and program that detect a notification timing with which a notification of recommended programs is performed and indicate on a notification screen the existence of the recommended programs. A user does not need to input a recommendation

control instruction a number of time until a recommended program is found. Specifically, a notification screen is displayed, interrupting a program video, so that the user does not fail to view the program.

In addition, the present invention (as recited in independent claims 1, 19 and 39) overlays and displays a notification screen that includes information about a limited number of recommended programs, which makes it possible to reduce the area of the notification screen. Additionally, a recommendation reason of a program is obtained and displayed on the notification screen. Examples of recommendation reasons include frequent viewing of a program, belonging to a program to a specific genre, appearance of a specific performer in a program, and inclusion of specific character of a string in a document accompanying a program.

At least the following features of the present invention (as recited in claims 1, 19 and 38) are not believed to be disclosed or suggested by the cited prior art.

- 1) obtaining a recommendation reason for a program; and
- 2) including the obtained recommendation reason in a notification screen, wherein the obtained recommendation reason is in a form which is recognized by a user.

In the Office Action, the Examiner relies on Ellis for disclosing or suggesting all the features recited in independent claims 1 and 19. However, the Applicants maintain that Ellis fails to disclose or suggest the features recited in independent claims 1 and 19 (as amended) as well as the features of new independent claim 39.

Ellis discloses an interactive television program guide system in which a user may form a program guide of a user's interest. Information on the user's interest may be stored in a preference profile and one or more preference profiles for different users may be stored.

In the Office Action, the Examiner points specifically to column 14, lines 20-24 of Ellis for disclosing or suggesting the use of a notification screen, as recited in claims 1 and 19. Specifically, Ellis discloses at column 14, lines 20-24 the use of a "hot list" (see also Fig. 25). Specifically, the "hot list" is displayed for one minute prior to the scheduled start time of a program. However, the "hot list" disclosed in Ellis is clearly different from the notification screen of the present invention. In fact, the "hot list" of Ellis more accurately corresponds to the

claimed "list screen" (e.g., recited in claim 7) of the present invention.

According to the present invention, the notification screen and the list screen are clearly handled separately from each other. Additionally, the notification screen of the present invention is overlaid with information regarding a limited number of recommended programs, which makes it possible to reduce the area of the notification screen. This advantage of the present invention is not believed to be disclosed or suggested by Ellis.

Finally, nowhere in Ellis does it disclose or suggest the use of recommendation reasons on a notification screen, wherein the recommendation reasons are in a form that is recognized by a user. This deficiency in Ellis was also noted by the Examiner in the Office Action (see page 9, lines 1-4).

Based on the above discussion, independent claims 1 and 19 (as amended) are not anticipated or rendered obvious by Ellis. Additionally, claims 2, 7, 20, 25 and 37 are not anticipated or rendered obvious by Ellis at least by virtue of their respective dependencies from independent claims 1 and 19.

In the Office Action, claims 3, 9, 10-12, 14, 16-18, 21, 27-30, 32 and 34-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ellis in view of DeFreese. Claims 16 and 34 have been canceled rendering the above rejection to those claims moot.

Claims 3, 9, 10-12, 14, 17 and 18 depend from claim 1; and claims 21, 27-30, 32, 35 and 36 depend from claim 19. As noted above, Ellis fails to disclose or suggest all the features recited in independent claims 1 and 19 (as amended).

Moreover, DeFreese fails to overcome the deficiencies noted above in Ellis. DeFreese is directed to a system and method for providing full service cable television, which includes digital and analog transmission architecture capable of delivering a high number of high quality television programs, advance cable services, and on line services to a subscriber's home.

In the Office Action, the Examiner relies specifically on column 27, line 38-41 of DeFreese for disclosing or suggesting the use of a recommendation reason on a notification screen. However, DeFreese at column 27, lines 38-41 actually discloses that a start time, a theme, and the like are used for sorting a display list. And, the start time, the theme, and the like

used for sorting a display list disclosed in DeFreese do not provide the same advantages provided by the use of a "recommendation reason," as recited in claims 1, 19 and 39. Specifically, the present invention provides advantages over DeFreese as noted below.

First, in the present invention, since a recommendation reason for a program is displayed, a user can quickly determine whether or not to view the program based on the displayed recommendation reason.

Second, when a conventional recommendation program presentation device is used, a user needs to determine whether or not information about a recommended program includes content of interest. In the present invention, the recommended program notification device, method and program does not require a user to make such a determination.

Finally, in the present invention, recommended program candidates can be preferentially presented to a user, which is a feature that is not possible using the system and method in DeFreese.

Therefore, no combination of Ellis and DeFreese would result in, or otherwise rendered obvious, the features of independent claims 1 and 19 (as amended). Additionally, no combination of Ellis and DeFreese would result in, or otherwise rendered obvious, the features of claims 3, 9, 10-12, 14, 17, 18, 21, 27-30, 32, 35 and 36 at least by virtue of their respective dependencies from independent claims 1 and 19.

In the Office Action, claims 4, 5, 6, 8, 22, 23, 24 and 26 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Ellis in view of Schein (U.S. Patent No. 6,732,369, hereafter "Schein"); and claims 13, 15, 31 and 33 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Ellis in view of DeFreese, and further in view of Wagner (U.S. Patent No. 6,335,736, hereafter "Wagner").

Claims 4-6, 8, 13, and 15 depend from independent claim 1; and claims 22-24, 26 and 31 depend from independent claim 19. As noted above Ellis and DeFreese fail to overcome the deficiencies noted above in independent claims 1 and 19 (as amended). Additionally, after a detailed review of Schein and Wagner, the references fail to overcome the deficiencies noted above in Ellis and DeFreese.

Therefore, no combination of Ellis, DeFreese, Schein and Wagner would result in, or otherwise rendered obvious, the features of independent claims 4-6, 8, 13, 15, 22-24, 26 and 31 at least by virtue of their respective dependencies from independent claims 1 and 19.

In light of the above, the Applicants respectfully submit that all the pending claims are patentable over the prior art of record. The Applicants respectfully request that the Examiner withdraw the objections and rejections presented in the Office Action dated June 16, 2008, and pass the present application to issue. The Examiner is invited to contact the undersigned attorney by telephone to resolve any remaining issues.

Respectfully submitted,

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